

MAIGRET'S LAW

Susan S. Silbey

INTRODUCTION

Jules Maigret was born in 1929 at the age of 45.¹ During the next four decades, he aged ten years as he walked the streets of Paris, hands firmly planted in the pockets of a velvet collared overcoat, head topped by a bowler hat, with the sweet perfume from a never absent pipe marking his trail. Between almost hourly visits to neighborhood bars and cafes for beer, white wine, or marc, Maigret steeped himself in human emotions and local cultures to solve the murders that occupied him as the premier agent of the French Police Judiciaire.

Maigret is an agent of the state, indeed the most celebrated member of the French legal apparatus, but he is not a lover of the law. In fact, Maigret reguarly displays a marked distaste for legal fonctionnaires for whom rules and regulations substitute for justice. In contrast to legal officials and lawyers, whom he views as fawning bureaucrats, Maigret is a believer in sociological justice. By this I mean that he works to repair the torn fabric of social relations to recompose the troubled lives that end in murder. To do this, Maigret needn't invoke legal rules and procedures; he needn't always seek prosecution for the guilty parties. Instead, he arranges outcomes in which the guilty person feels the need to confess, or to execute their own punishment. To exact a penalty,

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to engage the law, Maigret thinks, would result in more harm, or another crime, exacerbating the existing rupture and pain.

Maigret is empowered to operate as an "agent de juste" because of several socially organized and cognizable sources of authority. He is undoubtedly a charismatic figure, known by sight to every bartender, taxi driver, and concierge throughout Paris and some of the provinces; he is admired by political elites, emulated by underlings. In addition, Maigret commands more than personal authority; he is, after all, the third highest official of the French police establishment and in this capacity, he is able to mobilize an enormously powerful and efficient apparatus. Thus Maigret is not a marginal actor, creating a personal vision of justice; rather, he is located within the networks of French society and bureaucracy which enable him to explore, guard, and repair the sinews of social relations which, by Maigret's method, house the explanations of crime and murder.

Inspector Maigret, eventually Superintendent and Commissioner Maigret, is the creation of Georges Simenon and the guiding voice and intelligence of over seventy five books of detective fiction, in french known as "*roman policier*." The Maigret books provide the student of legal culture and institutions with evidence of the popular understandings of law. Although Inspector Maigret is a fictional character, his contribution to legal culture is neither imaginary nor marginal. In this regard, it should be noted that George Simenon has authored more than 350 novels which have been translated into forty seven languages, and have sold more than 600 million books. This makes Simenon the second most published and popular fiction writer in history.² Close to fifty motion pictures have been made from his books, while radio and television stations broadcast his stories with such frequency that it is possible to hear or see a Simenon story somewhere in the world each day.

No less an authority than Andre Gide, for many years the European dean of letters, found Simenon's work profound and seductive. In his 1944 journal, Gide wrote, "I have just devoured eight of Simenon's books, at the rate of one each day, three of these I read a second time." Several years later, Gide wrote, "I am again steeped in Simenon. I have just reread six of his novels in a row." Gide saw in Simenon "a writer who makes the reader think," and predicted that very soon "the intelligentsia [would] understand Simenon and take him to their bosom" (quoted in Tremblay 1954, p. 217).

Apparently, more than the general public and European intelligentsia took Simenon to heart. Shortly after the publication of the Warren Commission report on the Kennedy assassination, the FBI contacted Simenon to obtain his assessment of the report and his opinion about the quality of the police work involved. This official request for his professional judgement, which was not unusual for Simenon, validates the effort to use fiction as an avenue to approach and hopefully understand the popular consciousness of law. Apparently the boundaries between fiction and history are permeable, for

police professionals as well as for post-modern deconstructors. Finally, the consumer market, evidenced in the sale of these books, confirms their ability to speak to and about public sentiments.

If we regard law as constitutive, something simultaneously producing and produced by social interactions, the popular and cultural conceptions of law appearing in fiction are aspects of the life of the law. It is obvious that the formal aspects of law, for example definitions of the family, conceptions of sexuality, criteria of property and title produced within legal doctrine contribute to popular understandings and practices. Conversely, popular understandings and consciousness nourish the cultural surround in which law develops and is deployed. Thus, it is important to recognize that doctrinal and institutional aspects are themselves affected by non-legal and popular conceptions and understandings that become embedded within the formal body of law. This reciprocal operation and mutual constitution of popular and professional legal understandings can provide fertile ground for socio-legal scholarship.

Three contradictions run through the Maigret books, tensions that occupy the following sections of this paper. First, I describe Maigret's law, the space he carves for justice in the interstices of law, bureaucracy and politics and the opposition he establishes between law and justice. While Maigret is the premier agent of the French Police Judicature, he nonetheless opposes the law, actively resists the formal legal apparatus which he identifies with positivistic, abstract and formal law. He insists on a separate space for himself and the police as agents of justice. I then argue that Maigret is a proponent of sociological justice; he regards the conventions of everyday life as morally compelling. Maigret shares with sociological scholars a recognition of legal pluralism, and situational ethics. His sociology not only informs his conception of justice but also his method of inquiry which raises the second tension in the books. Maigret claims to operate without method, but displays a consistent, systematic and identifiable system of inquiry. I argue that he is completely empirical, exemplifying Weber's notion of *verstehen*. Finally, Maigret is skeptical, he doubts the possibility of absolute truth, and yet he achieves a level of understanding sufficient to create an empathetic bond with victims and perpetrators of murder. Although he doubts the possibilities of truth, he achieves sufficient confidence in what he discovers to act as a "redresseur des destinees." I conclude by analyzing how Maigret's conceptions of justice and understanding are made plausible and given authority, attempting to place Maigret within the a broader context of detective fiction generally.

MAIGRET'S LAW

Maigret's conception of law is not unfamiliar to socio-legal scholars and students of jurisprudence. For Maigret, the law is quite distinct from justice, and both are distinct from politics. Law is not, so to speak, just politics by

other means. Bureaucracy, the apparatus that Weber assigned an essential place in the institutionalization of law, is for Maigret also extraneous to justice but, like Weber, not extraneous to law or politics. Justice, for Maigret, is found in the interstices of law, bureaucracy, and politics, embedded within the routines and conventions of everyday life. For Maigret the daily struggles of "little people" to forge intimate relations and comfortable surrounds, comfortable by virtue of their regularity and familiarity, need to be protected and honored; they are what support and nourish any human capacity for intersubjective connection and thus constitute the template of a sociological justice. Because the judicial apparatus is preoccupied with formality, categories of legal thought, and privileges and accoutrements of office, legal officials are unable to apprehend or to understand the constitution of everyday life.

For Maigret, law is a trap. The law's power, and its impotence, deriving from its pretended generality, traps citizens and legal agents alike. Maigret had been caught in the law's visors early in his career, and what he remembered of that experience came back to him at various times throughout his days. "What had crushed him, he would remember all his life, was the impression of being up against an anonymous force, without name or face, impossible to get hold of. And this force had been no ordinary force, it had been the law" (*Calame Report* 1954, p. 37).

This force, the law, is impersonal; it is bureaucracy's authority. Like the law, bureaucracies are traps. Both, however, are traps of an unusual kind where the trappers are themselves also confined. Legal functionaries are confined by responsibility to do something and also confined by rules constraining what they can do and how they can do it. "Overworked official[s]" with terrible responsibility on their shoulders "live in terror of making a false step" (*Maigret Afraid* 1953, p. 18). They are multiply girded, operating blind among the ropes and rules, unable to perceive the sinews of their own or others' worlds. Bureaucracies are places where even the participants "could not swear what was going on" (*The Calame Report* 1954, p. 94). This was true for its agents, for its overseers such as ministers, and certainly for bureaucracy's normal prey—ordinary citizens.

Maigret seems to use the metaphor of law as trap to allude to the features of bureaucratic structure. Rule by proxy, division of labor, specification of task are as material and consequential as the teeth and hinges of a beartrap or feather and hook of a trout lure. The trapper bureaucrats "are made responsible for everything though in fact [they're] only passing through" and the people to whom they give orders "know perfectly well they had a different boss yesterday and may well have a different one tomorrow" (*Calame Report* 1954, p. 94). Distinguishing between the levels of responsibility and accountability in bureaucracies, Maigret notices the stability and continuity of government by clerks. The virtue of a permanent, career civil service—impersonal administration—becomes an evil indifference toward the citizen

consumer who is thus converted from consumer to prey. From the point of view of the agents themselves, the transience of the upper echelon, political heads of ministries, becomes a means of avoiding the responsibility to be responsive. From the point of view of the consumer citizen supplicant, the organized irresponsibility spawns hallways "filled with people who are waiting; nervous women, some weeping and dabbing their eyes with their handkerchiefs, would-be tough customers trying to put on a bold front, some honest citizens who waited patiently, staring at the pale green walls, wondering whether their existence had been forgotten" (*Maigret and the Pickpocket* 1967, p. 88). While Magistrates waste their time dogging his every move, Maigret observes ordinary citizens and familiar characters "waiting resignedly" on corridor benches for "their" magistrate to deign to receive them (*Reluctant Witnesses* 1959, p. 160). Thus to Maigret, bureaucracies are black holes, autonomously operating machines disconnected and removed from everyday life, yet like hunter's snares periodically intervening and interfering so much so that they muck up the works.

If the law's agents are blind to the world around them, unconnected to social relations and human emotions, it is because the law wants not to be seen, not to be seen for what it does—setting traps. Legal functionaries, like the bureaucratic apparatus itself, are "completely cold beneath the surface" a surface which is deceptive in its friendliness, apparent accommodation, and concern for rights (*Reluctant Witnesses* 1959, p. 22). Like the bureaucrats who appear accommodating and concerned, lawyers are also deceivers. Lawyers, magistrates and prosecutors, Maigret observes, are gentlemanly creatures "with a sheaf of degrees" (*Reluctant Witnesses* 1959, p. 157), but they easily become something else, something unsocial, obstreperous, not gentlemanly at all. They are likely at any moment to make a big row for the slightest little infraction, breach of regulations, abuse of authority (*Reluctant Witnesses* 1959, p. 70). Prosecutors and magistrates, a special class of lawyers, are particularly impatient gentlemen who operate from comfortable offices and who see everything only in terms of the theories and statistics of their legal texts (*Maigret and the Pickpocket* 1967, p. 90). Fearful gentlemen too, fearful of calls from the press, from their superiors (*Maigret and the Pickpocket* 1967, p. 90), from anyone who takes notice.

Thus, from Maigret's perspective, lawyers and bureaucrats simultaneously enable and succumb to the law's traps, especially its precipitousness and its remove from ordinary life. Maigret repeatedly notices how the law's "trappings" both invade and distance personal lives, sometimes, perhaps often, enlisting the collaboration of the police in the ploy. "In forty-five minutes, justice would don its usual trappings, and the studio in Rue Saint-Charles would be invaded by officials, while police outside would keep onlookers away" (*Maigret and the Pickpocket* 1967, p. 32). Crime "involves human beings, unknown the day before, who were just passers-by among the rest. And now,

first, immediately and destructively, categorizing and naming it. In contrast, Maigret simply lets it register; the sorting, the understanding comes later. But prosecutors and magistrates are form-filler-outers, "satisfied that [they] had done [their] duty" if they named the rules and issued notices, willing to let others do the work (*Maigret in Exile* 1942, p. 49).

The legal terminology, categories, and theories so dear to the judicial agents impede discovery and understanding, they create barriers between the officials and the lives they are empowered to judge. Moreover, the conceptual and formal apparatus is so alien that it ends up confusing its own agents as well as others. Maigret notices that legal functionaries frequently fail to understand even the terms they themselves use and questions they themselves pose. "I'm afraid that I don't understand", a magistrate confesses in the middle of trying to exact a confession from the suspect. "Of course he didn't understand," Maigret thinks, "He'd been stuffed with theories, and expected truth to adapt itself to them, fit into one category or another" (*Reluctant Witnesses* 199, p. 181). Even the witness/suspect knows that the magistrate does not know, cannot know; he "didn't live through that night!", did not end up "not knowing what was true and what wasn't... without being sure it really happened" (*Reluctant Witnesses* 1959, p. 181).

For the magistrate, however, the moment can be abstracted, categorized, and named, can be known only through the law, its terms and its procedures. As a consequence, the law's work and words demand translation because the prosecutors and magistrates regularly transform lives, emotions, and ordinary events into mystifying and prurient performances which are unrecognizable to even the participants themselves. Maigret "could almost hear the Public Prosecutor addressing the Court of Assize" translating, confusing, exciting the jury and the court. Where the suspect was hesitant, confused, struggling, acting out of panic and without thought, the Prosecutor would describe the "bestial ferocity" with which the defendant enacted his careful but evil plan (*Maigret and the Wine Merchant* 1970, p. 11). For Maigret, this is all delusion. "Have you discarded the possibility of a simple sordid crime?", the magistrate asks Maigret in another case in an effort to get him to participate in the law's categorical reasoning. "As though all crimes weren't sordid" Maigret thinks. "They didn't speak the same language, they don't have the same concept of a human being at the Law Court as they did at Police Headquarters" (*Maigret and the Pickpocket* 1967, p. 32).

If the official apparatus of law is treacherous, if official judgements are based on false knowledge—the superficial ordering of facts and deeds—it is a characteristic feature of upper class rule. Stanley Eskin (1987, p. 228) says it is "no accident that the functionaries of the judicial apparatus are almost invariably of the upper classes—the ubiquitous juge d'instruction Comélieau who is Maigret's bete noire, or the young upstart judge Angelot with the handshake of a tennis player (*Reluctant Witnesses* 1959), or the obnoxious

all of a sudden, each one of their gestures, their words, takes on weight, and their entire life is gone over with a fine-tooth comb" (*Maigret and the Pickpocket* 1967, p. 88). "One disturbed people in the peace of their own homes, people to whom the very word 'police' was unsettling and harassing, to probe into their little private concerns" (*Maigret and the Apparition* 1964, p. 48).

Simultaneously distant and invasive, legal functionaries entrap the populace into the lure the bureaucrats themselves create.

The dignitaries arrived in two cars, led by the Public Prosecutor.... Next came his deputy, followed by an examining magistrate, ... and then the clerk, the police surgeon, and a local police officer... a detachment of police had also arrived... and these had seen fit to form a cordon in the street, thus ensuring that crowds would gather, even if they were wholly ignorant of what was afoot... (*Maigret in Exile* 1942, p. 45).

Maigret always detested this initial stage, especially the abundance of legal authority, the empty formalities, the display of official concern that disguised indifference and incompetence, "with half a dozen of them sitting about staring at one another" (*Maigret's Boyhood Friend* 1968, p. 17), so little concerned with the human drama that had been enacted and now demanded some understanding.

The traps are set by the law's blindness and remove from ordinary life but also its impatience (*Maigret and the Pickpocket* 1967, p. 90). Anxious to return to their comfortable offices, the dignitaries' performances at the scene of the crime area are empty in terms of what they contribute to the process and empty in terms of what they take away. This same impatience and official preening prompts premature action, encourages arrest before the situation is or can be understood (e.g., *Maigret's Boyhood Friend* 1968, p. 93). It impedes the work that would reveal truth and the possibility of justice. But work was not really what the legal bureaucrats were about. In Maigret's view, the magistrates and prosecutors were not at all what he considered hard working. While the prosecutor, the magistrate, and their assorted assistants put in official appearances, the "Law Courts" were "by no means burdened with work" (*Calame Report*, 1954, p. 47). If a magistrate arrived at his office at nine in the morning, he was special (*Reluctant Witnesses* 1959, pp. 142, 145).

The law's ineptitude, its inability to make the connections necessary for understanding, and thus to do justice, is a consequence not only of its pretenses but also of its formality and abstraction. By its insistence on categorization and classification, it becomes unconscious of the diversity and complexity of lives and situations that cannot be fit neatly into its terms and rules. Maigret regularly finds himself pouring out "information which the magistrate ... struggle[s] to classify" (*Reluctant Witnesses* 1959, p. 151), but which cannot yet be named, which is still in the forming (*Maigret and the Pickpocket* 1967, p. 89). Yet the magistrate cannot receive, or process the information without

prefect in *Maigret on the Defensive* (1964) who asks for Maigret's resignation (and also plays tennis: tennis is the representative sport of such people, as bowling on the green is of the "little people"). What is wrong with these officials is precisely what is right with Maigret: they know their cases only from bureaucratic dossiers, he from feeling his way into the very substance of people's lives—the texture of their environment, the quality of their inner selves." For Maigret, the blindness of and injustices meted out by legal officials simply echo "the prejudices, the duplicity, the hypocrisy and the sheer meanness of their class" (Eskin 1987, p. 228).

The impassioned gaze of a young magistrate in the *Reluctant Witnesses* (1959) epitomized for Maigret the inadequacy of law: its masked variability, its generational locations, and its impediments for justice. This is a story in which Maigret is tracked, observed, and dogged by a young, zealous magistrate. When called to investigate a murder in the household of a prominent manufacturing family which was now in decline both financially and emotionally, Maigret finds himself repeatedly subject to what he calls "the gaze of the law." Although the gaze of the law was normally focused internally on its agents, not the public, this time, to his dismay, it caught Maigret in its compass. Here Maigret shares Holmes' conception of the law as a set of instructions for legal agents, informing, limiting, and confining their actions. "What else could one do," Maigret commented, "under the sardonic gaze of the magistrate" (*Reluctant Witnesses* 1959, p. 44). However, the consequences of this legal confining and sequestering was that justice is impeded. Certainly, were it not for the law, the doggedness and zeal of the magistrate, the magistrate "at his heel like a snapping mongrel" (*Madame Maigret's Own Case* 1959, p. 14), Maigret would know all that was to be known. Because of the rules, the stifling regulations, the constant observation of the law, the need to do things "in the proper way" (*Reluctant Witnesses* 1959, p. 160), Maigret knew less, the gaze of the law blinding Maigret as it normally blindfolded its more faithful agents (*Reluctant Witnesses* 1959, pp. 85, 101).

By setting itself apart, shrouded in comfortable offices, the law seemed to generate a sense of its own sacredness. This sanctity, a sense of otherworldly, non-human divinity ("a government of laws and not of men" after all) shielded the formality from interrogation and sabotaged the connections necessary for understanding. Maigret frequently mocked the law's pretensions, its "momentous" words (*Maigret's Rival* 1944, p. 168) that symbolized and enacted its blessed, hallow authority. He sometimes imagined the naive and pompous both "expected him to rise to his feet, take a pair of handcuffs out of his pocket, and say the sacred words: 'In the name of the law ...'" (*Maigret's Rival* 1944, p. 151). The law's supposed sanctity shielded the trap as it set it.

As a consequence of the law's ineptness, it is important, Maigret believes, to refrain from giving the law its space, enabling the trap to be set. For years, Maigret's relationship to the formal law had been one of overt opposition and

resistance. "With poor Comeliau, who had for so long been his personal enemy, there had been open hostility, the old unacknowledged but always latent rivalry between the Public Prosecutor's Office and the Quai des Orfèvres" (*Reluctant Witnesses* 1959, p. 153). Comeliau was aware of Maigret's resistance and regarded many of his actions, for example smoking in the superintendent's office, as forms of outright defiance (*Maigret Sets a Trap* 1955, p. 25). There were magistrates, however, whom he did not class "among the outright meddlers"; magistrates "who prudently left the police time to get on with their work" (*Maigret and the Pickpocket* 1967, p. 88). Among these, Maigret's celebrity and authority, earned by virtue of his extraordinary ability, carved a space of freedom sufficient for him to make contact with the lives made distant by the law. His resistance was tolerated because it brought success in sufficient abundance to adorn his superiors as well as himself. Some few magistrates were "thoroughly decent, conscientious fellow[s]" who operated without fixed theoretical or a priori categories (*Maigret's Boyhood Friend* 1958, p. 151). These "magistrates preferred to let him have his own way and wait patiently for him to bring them a complete file, preferably including a signed confession" (*Reluctant Witnesses* 1959, p. 153).

The young greenhorn magistrate, Angelot, who appears in *The Reluctant Witnesses* (1959) is not however of this latter class and as a consequence becomes the target of Maigret's playacting, a victimization that is quite out of character for Maigret but an expression nonetheless of his resistance to law. Maigret is hounded by this overly zealous magistrate, who is all form and no substance. Frustrated and angry with the constant demand for reports and attention, Maigret spends much of his time imagining scenes and dialogues in which he practices accounting for himself to this little know-nothing upstart. At one point, his frustration gets the better of him and he allows himself to perform a silly role he imagines the young magistrate to desire and expect—a swaggering, pompous Maigret who quotes statistics and explains what is obvious and clear. Because the young magistrate symbolizes the empty formality of law—the desire for all to be obvious and clear, Maigret proceeds to make him look the fool. The magistrate asks for conclusions where there are no conclusions; fails to see connections, "I don't see the connection" (p. 154); is incapable of recognizing similarities "I don't see any similar situation at the Quai de la Gare" (p. 154); is unable to see at all, "I still don't see" (p. 154). This victimization is so out of character for Maigret, however, that he then tries to counteract his own performance. Because he is sincerely apologetic for giving in to his anger and using the young man, he relinquishes his normal resistance and succumbs to the magistrate's desire to do things according to law, "everything ... according to the rules" (p. 157). He was, however, deeply saddened by this performance and his recognition that his momentary compliance would someday become the rule. "The day would come before long when Maigret's work would be carried out by fellows like Angelot, gentlemanly

accomplish its own decisions—for sorting the true from the false, the sordid from the noble, the crime for profit from the crime from passion. Maigret, however, is skeptical, ever skeptical and uncertain about the qualities and apprehension of truth, a point I will return to below. Suffice to note here, though, that the police's immersion in lived experience rather than formal theories provides greater access and closer approximations to whatever will stand for true. Maigret, as the premier police agent—rather than legal agent—seeks freedom from the law's empty formalities. He lives and relives events in a recurring dream-like state, letting it all register, seeking to capture, create, and recapture the moment and by this means apprehend whatever truth there is.

If one sees the juxtaposition of the judicial/legal functionaries as the agents of formal law and Maigret and the police as the agents of the informal law, an apparent contradiction is resolved and a more nuanced, sociological conception of law animates the Maigret saga. Instead of sitting outside “the law”, some abstract hovering presence symbolized by the formalities of the judicial apparatus and its reverent categories and theories, Maigret is situated within law as a socially organized body of actors doing the best they can with the resources at hand. In this pragmatic understanding, Maigret recognizes what Alan Hunt (1992), following Luhmann and Jessop, refers to as the structured coupling of competing/complimentary normative orders and institutions. Indeed, Maigret acknowledges that a truce can be established periodically between these two domains because when magistrates are not meddling, they sometimes allow the police to get on with their work (*Reluctant Witnesses* 1959, p. 160). The intersection and interdependence of these two forms of law (the formal/judicial and the informal/police) is symbolized by the fact that even Maigret's celebrity and authority does not escape the system of legal regulation and subordination. In this sense, Maigret's career suggests that while the law can be resisted, (*Reluctant Witnesses* 1959, p. 57), justice can be undone by law.

CONVENTION: THE MODEL AND THE METHOD OF SOCIOLOGICAL JUSTICE

Simenon shows us Maigret's conception of justice in opposition to politics as well as law and bureaucracy. If the law is remote and alien, impersonal and empty forms ever ready and able to be deployed (*Maigret in Exile* 1942, pp. 48, 49, 69), politics is a terrain of competing barons and warlords, a war of all against all. For Maigret, politics, quite unlike the law, is not a terrain of ordered regulation, not a systematically constructed trap ready to spring, but a mine field littered with corpses created by ambition, greed, and deceit. And quite unlike the routines of daily life, or the predictable hegemony of law, politics is practiced by relatively isolated, discrete actors, each pursuing what appear to be divergent courses, where anything can happen and little is predictable. Simply, politics is something Maigret distrusted.

chaps with a sheaf of degrees (*Reluctant Witnesses* 1959, p. 157). The new breed of technocrats would fail, of course, because their methods and their rules obstructed the process, “the atmosphere . . . was lacking, the things in it, the past and the present, the visible and the invisible” (p. 153). It would indeed become “a different world, with a dull smell of bureaucracy and red tape” (*Reluctant Witnesses* 1959, p. 147).

Maigret expresses and instantiates the incompatibility between the law and justice. I know of only one reference, in *Maigret and The Hundred Gibbets* (1931)—a very early work, one of the first five written in which the characters and themes are just beginning to form, where Maigret identifies himself with the law. Attempting to get information from a local notable in Belgium about a case totally outside his jurisdiction, which he is investigating because of coincidental circumstances that brought him in contact with the victim, Maigret asks for assistance in the belief that the witness “would not hesitate to come to the assistance of the Law” (*Maigret and the Hundred Gibbets* 1931, p. 41). This self description is so rare as to make its usual absence notable.

Believing that law annihilates justice, Maigret separates himself and refuses to see himself as an agent of the law despite his official rank as one of the premier agents of the French police Judicaire. This contradiction, however, marks Maigret's conception of law with traces of sociological insight. Surely, he knows he is and acts as an agent of the state, of the law enforcement bureaucracy. But he nonetheless also recognizes that the police are not the same as other legal agents. They and their work are different. Maigret repeatedly notices the differences. First, the police are not removed from the people and situations they deal with. They are the first on the scene of a crime, experiencing the fact of it, the mess, the material person, the smells, without the formalities and categories that prevent the legal functionaries from understanding. Second, the police are less bureaucratic, and Maigret believes more professional, reasonable and considerate. The police did not insist on reports and answers before there were any (e.g., *Maigret and the Pickpocket* 1967, p. 90). Of course, the police were regularly reporting to each other, and against his better judgment and inclination Maigret reported to the magistrate. But he saw no need to report everything he knew. If the examining magistrate were to be told everything Maigret knew, he'd insist on action and arrests prematurely, precipitously, and in error (e.g., *Maigret's Boyhood Friend* 1968, p. 104). Third, the police are distinguished by social class. Much of Maigret's hostility and resistance to law is associated with his disdain for the upperclasses who people the legal establishment. The abominations of their class are symbolized by the empty formalities of law, the vacuous public performances, the demands for deference, and the violence of their actions.

Finally, the police are different because they have a more complex notion of truth. To the judicial functionaries, there is truth and there is falsity; the law, after all, is the instrument—because it has the formulas and the means to

manicured hands, and coats of arms of Parisian or provincial notables. In fact, they were the more important part. The structure of social life—that which provided the ground in which one could, one had to, live—was not captured by the concepts and categories of legal formulas, not easily learned by quick visits to the scene of a crime, nor encompassed by public displays of legal might. The pattern—the organization and structure of daily life—was difficult to decipher because it was composed of little details more than the broad strokes: whether a witness/suspect had recently had a haircut, with what energy a handshake was offered, what liquor someone drank, how the rhythm of a person's speech varied from one situation to another, or what had been the contents of a meal.

For example, in *Maigret and the Pickpocket* (1967), Maigret confronts a young man, a would-be film director, too intelligent for his weak character and frail morality. His inattention to the details, just as the law's inability to see and to understand daily life, undoes his best invention. This imaginative young man murdered his wife, Maigret believes, because he could not live up to his own ambitions and ideals. Wanting to have a grand success as a film director and believing himself more talented and able than most of those around him, the young man was nonetheless forced to rely on his wife's sexual talents to secure work. His access to the desired but slightly seamy circle of moviemakers and filmstars had been secured by his wife's affairs with a generous patron.

He would have liked, above all, to be exceptional in all things, to succeed very fast, as he was burning with impatience, but all the while remaining pure ... He shot her. Then he stopped in his tracks, frightened by what he had just done, and by the consequences. I'm convinced that from this moment he made up his mind that he would not let himself be convicted, and while he roamed the streets his brain began to work, to concoct a complicated plan (*Maigret and the Pickpocket* 1967, p. 149).

But for all its ingenuity, the plan fails. He constructs an almost perfect and elaborate alibi. "He steals my wallet" Maigret explains to his associates. "He calls me up, plays his part in such a way as to lead suspicion away from himself" (*Maigret and the Pickpocket* 1967, p. 150). The suspect claimed to have found Maigret's wallet and uses this opportunity to establish an alibi for himself and to become acquainted with Maigret in a manner that would lend sympathy and support. But the imagination that generated this convoluted plot gets the better of him. He invents not only his own alibi, but invents activities for his wife/victim that attempts to place her outside his reach during critical moments in the plot. Specifically, he describes for Maigret "the menu of Sophie's non-existent dinner ..." In the complex narrative that the young man constructs, this is a very small point, given the work he did at taking Maigret's wallet and building up the relationship of obligation between Maigret and himself. This

Maigret watched her, still frowning, with a look that proclaimed his distrust of politics. It had happened several times during his career that he had been approached by a statesman, a deputy or senator or some high official, but it had always been through the proper channels. He would be summoned to the boss' office and the conversation would always begin with: "I'm sorry, my dear Maigret, to put in charge of a business you won't like". And it always turned out to be something unsavory (*Maigret and The Calame Report* 1954, p. 5).

"In politics things don't happen the way they are supposed to" (*Calame Report* 1954, p. 94). In life, and in crime too, Maigret observed, there is pattern, there is order, there is predictability. One finds people, including criminals, acting together in concert inventing and reproducing the conventions and habits of the taken for granted ground of daily life. "In politics," he comments, "it is quite different, and the proof is that there are so many parties in the chamber" (*Calame Report* 1954, p. 168), so little agreement, so little shared ground, nothing can be taken for granted. Politics is about power, about heroes and villains, about doing each other in, staking a claim, effacing the other. Life, however, is about mundane, routine conventions, making do as best one can, the unnoticed small things that connect us to each other.

In the *The Reluctant Witnesses* (1959) Maigret articulates his very simple and mundane conception of everyday life, which for him is the architecture of sociological justice.

After so many years in the police force, one doesn't believe in father christmas, in the world described in improving books, and 2 franc color prints, with the rich on one side and the poor on the other, with honest people and the scoundrels, with exemplary families gathered as though for the photographers around a smiling patriarch (*Reluctant Witnesses* 1959, p. 68).

Maigret wished that "everything could be clean and beautiful" (*Maigret's Rival* 1944, p. 174) and that justice would prevail, but he knew better. He knew that things do not sort themselves neatly in well defined categories of good and evil neatly aligned. "I am going to tell you something", he confesses to an old rival, a failed, dishonest policeman turned private detective, "a crook "capable of all sorts of dirty tricks" (*Maigret's Rival* 1944, p. 174), someone Maigret wanted the world to be rid of but who haunted it and him. "There is one phrase of popular wisdom that I thoroughly detest. It makes me wince and grind my teeth whenever I hear it.... Do you know what it is? ... Everything will turn out all right." Things do not turn out right: the poor were not ennobled, the evil were not punished, and the petty, dishonest detective continued to do damage.

To Maigret, the stink of human debris, "the musty taste of commonplace existence" (*Maigret and the Tavern by the Seine* 1941, p. 56) may not be something to relish and may have hints of something crooked, but they were as much a part of life as the well upholstered drawing rooms, well cut clothes,

is, however, the kind of detail Maigret could not miss. In his invention, the young man lacked "stability, simple common sense. He can invent an extravagant story and make it plausible, but he doesn't think of the simplest and most mundane details" (*Maigret and the Pickpocket* 1967, p. 150). These details are the heart of the matter, the entire matter for Maigret.

It is not merely a necessity of his job that Maigret pay attention to the minutia of human life; he consciously values it, especially when it conveys a sense of workmanlike devotion to its creation. "The smell of the house had not changed, and here too was something Maigret had envied in the past, the smell of a well-kept house, where the floors were waxed and the cooking was good" (*Maigret Afraid* 1953, p. 12), where bookshelves were dusted, where food was carefully prepared. He understood and valued the effort required to forge havens—both physical and emotional—amidst the surging flux of human intercourse. He especially valued the consequences of the effort because those are what most of us experience as the fixtures and necessities of life—the structural supports—a home, a town, a friendship—when indeed they are made daily. Those who worked at making them earned Maigret's admiration.

... the ones whom he most admired ... were clean and decent and not in the least picturesque, and who fought day in an day out to keep their heads above water and to nurture the illusion, or perhaps the faith, that they were alive and that life was worth living (*Maigret and The Man on the Beach* 1953, p. 74).

Thus for Maigret, justice inhabits convention. He is a sociological realist: the necessity, inescapability of daily life constitutes its moral claim. Justice resides in the context of the situation, the ways of doing that are so ordinary that we do not notice them until they are disturbed. Unlike the performances and playacting of privileged and preening lawyers and judges in courts, a place Maigret hates to attend, justice can be enacted informally, quietly, by repairing the disturbed social relations, re-establishing normal routine. Routine and interdependency of persons make the highest moral claims on Maigret. Into this inescapable network, the single act, the crime, the murder is isolated and alien. It needs, according to Maigret, to be reconnected to the persons, the place, the routine.

In *Pierre The Lett* (also published as *Maigret and the Enigmatic Lett* 1931) the first Maigret book written by Simenon, Maigret describes what we might call the sociological theory behind his vision of justice, and its opposition to law. Here he offers a critique of positivism and theorizes contextual interpretative sociology, the methodology that accompanies and enables his commitment to sociological justice.

He stuck to it because of a vague impression; he could not even have called it a presentiment. It was more like a private theory, which he had never even worked out but which just stuck nebulously at the back of his mind, he called it the theory of the chink.

Every criminal, every gangster, is a human being. But he is first and foremost a gambler, an adversary; that is how the police are inclined to regard him, and as such they usually try to tackle him. When a crime is committed, it is dealt with on the strength of various more less impersonal data. It is a problem with one or more unknown factors, to be solved through probabilities in the light of reason. Maigret used the same procedures as any one else. And like everyone else he employed the wonderful techniques devised by Bertillon, Reiss, Lucard, and others which have turned police work into a science.

But above all he sought for, waited for, and pounced on the chink. In other words, the moment when the human being showed through the gambler (*Maigret and the Enigmatic Lett* 1931, p. 34).

In this case, Maigret confronted the most accomplished and successful criminal in Europe, in 1929. He tracked Pierre the Lett, interviewed him at the Majestic Hotel in Paris where Pierre was royally welcomed, and followed him to a seaside villa where Pierre maintained, hidden in quiet seclusion and hoped for protection, a wife and children. "At the Majestic", Maigret explains, "he had been confronted by the gambler. Here, he sensed a difference. This quiet, neat villa was not one of the pawns in the game that Pierre the Lett was playing. That young woman, and the children Maigret had glimpsed and heard, belonged to an entirely different material and moral universe" (*Maigret and The Enigmatic Lett* 1931, p. 35). This was the chink in Pierre the Lett, the human face that denied the gambler.

Maigret's skill as a detective depends on his ability to access the human being, the subjectivity of a particular material and moral universe. To become a part of the world and mind of the other. Maigret takes the temperature of places (*Reluctant Witnesses* 1959, p. 70), immerses himself in houses, docks, neighborhoods, taking it all in, ethnographically digging and reconstructing the places and the characters, knowing events by living them, and reliving them so that he can imagine what happened to disrupt them. He broods, stands before his ever glowing stove, gathering his forces, rehearsing the experience of suspects to ferret out the murderer. It is Maigret's special capacity to understand things that others do not, and on occasion turn a blind eye (*Maigret and the Pickpocket* 1967, p. 15).

Several aspects of Maigret's method—his capacity to understand and his method for achieving that understanding—should be elaborated because they connect his actions—his investigatory practice—with his understanding of the moral demands of everyday life. Like many ethnographers, Maigret has difficulty specifying exactly how he does what he does; moreover, he often claims that he has no method. This is the second contradiction running through the Maigret saga. Maigret insists the he has no method, and observers within the books and commentators outside often refer to his "method" as an intuitive non-method, but the pattern of his investigations is recognizable, and I argue reproducible. It is clear that there is a systematic mode of operation, repeated and reproducible activities through which Maigret comes to understand the

lives interrupted by murder. "Very well, I'll show you my method," he imagines himself saying to the insolent young Magistrate in *The Reluctant Witnesses* (1959, p. 137), rehearsing the role play of Maigret as others expected him to be. "He used the word 'method' ironically, of course, because for thirty years he'd been denying that he had any method." Inspector Pyke of Scotland Yard comes to study the method and concludes that there is no method (*My Friend Maigret* 1949). Stanley Eskin writes that "there is no method because Maigret works largely by improvisation, and also because 'method' connotes 'logical system,' not intuition" (Eskin 1987, p. 230).

The tension between the consistent assertion of no method and the repeated demonstration of method seems to arise from an overly narrow conception of understanding, rationality, and logic, a narrowness which Weber's classic works overcame. Because Maigret abhorred the French "logique" and "bons sens" that led to what he considered detestable, class biased miscarriages of justice (Eskin 1987, p. 230), and because he sometimes claimed that he mistrusted rational arguments (*Maigret Has Doubts* 1959), some commentators have relegated his modus operandi to the realm of unconscious intuition that surfaces as moments of unexplained consciousness of connection and meaning. Maigret refers to these moments as "declic"—something undefinable that clicks in his consciousness, when he suddenly "intuits" a character's social class, origins, habits. But that undefinable 'declic' is anything but irrational or unknowable.

At base, Maigret is an empiricist. He distrusts the obvious (*Maigret's Boyhood Friend* 1968, p. 149), and believes nothing. He requires evidence of and from lives and places to experience events for himself and thus to understand the eruption of murder. This is Maigret's method so well described by Weber in his concept of *verstehen*. For Weber, and for Maigret I suggest, *understanding* consists in apprehending and explaining the subjective meaning of action. Weber claims that there are two kinds of understanding. The first consists in observing an action and understanding it in the immediate situation, without reference to any broader context. Weber suggests, for example, that we might understand an outbreak of anger from facial expressions or exclamations, the action of a woodcutter from observing his motions, or somebody who reaches for a door knob from his effort to shut the door (Weber 1968, p. 95). This is the kind of understanding that Maigret obtains from the evidence at the scene of a crime, from the specialists in the Police Judicaire (Dr. Paul, the police physician who performs the autopsies; Moers, the ballistics and general lab technician), from the interviews with acquaintances of the victim, witnesses, and suspects.

But there is a second kind of understanding Weber describes as explanatory and which absorbs most of Maigret's energy. Here the meaning of actions is understood in terms of motive, the meanings actors themselves attach to their actions and which are supplied by putting the action in a larger context. Here, Weber claims, the woodcutter's actions may be understood/explained

differently if we know that he is engaged in wage labor or if the firewood is for his own use. The woodcutter may also be working off a fit of rage, an instance Weber claims of irrational action but understandable nonetheless through a rational process of observation and interpretation. In all cases, Weber writes, the particular act has been placed in a knowable "sequence of motivation, the understanding of which can be treated as an explanation of the actual course of behavior" (Weber 1968, p. 95). *Verstehen*, or understanding, consists in describing the sequence of actions in the immediate and larger contexts; this provides the meanings, ideas, normative patterns and motives from the point of view of the persons whose action was being studied. (Parsons, 1968, p. 10). This is what Weber describes as *verstehen sociologie*, and is indeed Maigret's method.

Thus despite his own disclaimers, and those of the commentators, Maigret has a method, a process with distinct stages that repeat themselves in an almost unerring pattern and which he himself recognized despite his avowals otherwise.

He knew very well that the great majority of [cases] could be divided into two distinct phases. The first consisted in the detectives making contact with a new atmosphere, with people of whose existence he had been unaware a few hours before, people who made a little world of their own, and whose little world had been suddenly shaken by the irruption of some drama. Enter the detective, a stranger if not an enemy, encountering hostile or suspicious glances on every hand. Sullen faces, cunning faces, Or, on the other hand, the distraught faces of those who are racked by suffering or terror and have cast away the last shreds of reticence and self-respect (*Maigret and the Tavern by the Seine* 1941, p. 121).

In the first stage, Maigret suddenly finds "himself face to face with a new world, with people he knew nothing about—it was as if he were breathing in the life around him, mechanically, and filling himself with it like a sponge" (*Maigret and the Pickpocket* 1967, p. 87).

His memory registering as it were subconsciously, the smallest details of the atmosphere, the gestures, the facial quirks of each person ... He ... absorbed a quantity of impressions, a whole jumble of images, of phrases, of words of varying importance, of startled looks, but he did not yet know what to do with them all. His close acquaintances knew that it was best not to ask him questions nor to question him by looks, as he would quickly become irritable (*Maigret and the Pickpocket* 1967, p. 87).

This first stage of the process is one of open receptivity and vulnerability to the undifferentiated flow of sensations, persons, and things. A haphazard process of simply registering impressions, collecting and imagining possibilities. "At times he stared out of windows, at other times he roamed about the apartment. Sooner or later, he knew, all these impressions would coalesce and become meaningful" (*Maigret and the Apparition* 1964, p. 36). This was, for Maigret, the most fascinating, and most painful, phase.

The groping, probing phase, often without any real point of departure. A dozen different ways look equally hopeful—or hopeless. A dozen different people, and any one of them may be guilty, or at any rate an accomplice. Nothing to be done about it. Only to wait, to turn round and round, keeping one's nose to the ground... (*Maigret and the Tavern* by the Seine 1941, p. 122).

However, "keeping one's nose to the ground" was lonely, and despite Maigret's sometime celebration of this phase (e.g., *Maigret and the Tavern* by the Seine 1941, p. 121), "it was a bad stretch to get through. In nearly all of his cases, Maigret came to this period of floating during which, as his colleagues used to whisper, he appeared to be brooding" (*Maigret and the Pickpocket* 1967, p. 87). He was often despondent, became physically ill, hunkered down in his bed with fevers and sweats withdrawing into himself (*Maigret's First Case* 1953, p. 150). This was the stage in the investigation in which discouragement loomed, when "he had a feeling of burrowing forward little by little, without knowing where he would end up, anxious to form a more or less precise conception of the persons" (*Maigret's Mistake* 1953, p. 112) and yet unable to form the pieces into a cognizable picture. "It wasn't exactly an effort of thought" that Maigret made in the sense of working out a series of logical propositions, "but slowly and ponderously he took everything in, trying to feel the setting, to bring it to life. And gradually he worked himself into a sort of feverish condition" (*Maigret and the Sailor's Rendez-vous* 1940, p. 97).

But then a change would take place, confidence would emerge. At first, "hardly more than a pleasant warmth running through his body, a more definite way of walking, of looking at the people, the shadows, the lights, the cabs and trams around him" (*Maigret's First Case* 1953, p. 59). Resentment would dissipate, he would once again become "content to be on his own, to go round snuffing in the corners by himself" (*Maigret's First Case* 1953, p. 59), although he'd now happily mobilize his staff of assistants. This transition was "so common a feature of his life that it would ... become almost a legend at the Quai des Orfèvres" (*Maigret's First Case* 1953, p. 59).

... Suddenly a scent is picked up. Something real, something definite. And with that the second phase begins. The clutch is slipped in, the machinery starts turning, and the investigation proper, relentless and methodical, begins. Each step brings fresh facts to light. The detective is no longer alone with his problem. Others are there too, hosts of others, and time is now on his side. Even when there is no longer any doubt, the machinery goes on turning just the same, till everything is proved up to the hilt. Only occasionally the vagueness and mystery of the first phase would last right up to the solution of the mystery. But those were the rare and marvelous exceptions. Those were the real Maigret 'cases' (*Maigret and the Tavern* by the Seine 1941, p. 122).

The method was as difficult as it was, as seemingly personal (although I will argue below it was nonetheless generalizable and reproducible), certainly as physically taxing, because it wasn't enough for Maigret to understand the

pieces, he had to apprehend "the very essence of the drama" (*Maigret and the Sailor's Rendez-vous* 1940, p. 97), experience the events for himself. It was almost as if each case constituted a metamorphosis, his brooding, feverish, hunkering down creating a crysalis out of which would emerge both a new Maigret and a solution. "He was compelled," he said, "by virtue of his wretched calling, to live the lives of a whole lot of other people, instead of quietly getting on with his own" (*Maigret and the Toy Village* 1944, p. 96). Maigret "identified with the people he had to deal with", indeed, he often "felt heavy" with the effort (*Maigret Sets a Trap* 1955, p. 133). Didn't he enter these houses "with a view to drinking in the atmosphere, wandering from room to room, plodding and patient, until all its secrets and those of the people who lived in it, were finally revealed to him" (*Maigret in Exile* 1942, p. 26). The places spoke to him, the residents became naked before him. At times it "seemed to him that he possessed not only the keys" to the house, the furniture, the physical evidence of the crime, but also "the key to all the characters whose interactions had caused so much damage" (*Maigret in Exile* 1942, p. 96).

This was delicate work, often with disappointing results, out of which, however, an unexpected intimacy arose. "To live other people's lives," to know the other, demands an exposure of self, a vulnerability, and a desire to connect that normal social intercourse carefully masks and necessarily inhibits.

... Unless the criminal is a merely soulless brute, a kind of intimacy nearly always grows up. No doubt owing to the fact that for weeks, sometimes for months, the detective and the offender are concentrating entirely on one another. The detective is doing his level best to get some idea of the criminal's past life, to reconstruct his ideas and anticipate his slightest reactions. For both, it is a matter of life and death. And when they come face to face, the situation is sufficiently dramatic to break down the barrier of police indifference that in ordinary circumstances divides one man from another (*Maigret and The Enigmatic Lett* 1931, p. 124).

Recognizing this intrusion into and erosion of the boundaries that sustain the possibilities of human society, Maigret is careful to preserve where possible the protective rituals of social intercourse. For example, if a witness's hand begins to shake, he is inclined to look away "out of human consideration" (*Maigret's Rival* 1944, p. 141). If a colleague is shy, Maigret is likely to defer to and shield him. In fact, "he could recall inquiries that had dragged on for days longer than necessary, sometimes for weeks, because he dared not put a blunt question to a colleague" (*Maigret and the Apparition* 1964, p. 47).

To what end did Maigret work? "More than anything else," Maigret said, "he felt the need to understand" (*Maigret Sets a Trap* 1955, p. 132). But was understanding everything? Not at all. Although Maigret regularly claimed that his goal was understanding, he also described himself as a man of action not an armchair philosopher. He acted upon his understandings and it is because of these actions that he needed matters "proved up to the hilt." The desire for

understanding and the responsibility for action point to the third contradiction running through the Maigret books. How good does the understanding have to be, what level of truth must he reach to authorize action, especially when Maigret acts as an "agente de justice", a *redresseur des destinees*? Although he did "his utmost to come as close to the truth as possible . . . he well knew that the absolute truth was beyond reach" (*Maigret's Mistake* 1953, p. 131). Unlike the magistrates who "expected the truth to adapt itself to them, to fit into one category or another" (*Reluctant Witnesses* 1959, p. 181), Maigret recognized its elusiveness. I believe that Maigret's ambivalence about the possibility of reaching absolute truth is part of his opposition to law. As part of that resistance, he denies the ontological possibility of truth because he rejects what he sees as the lawyer's preoccupation with abstractions, professional constructions that are accorded transcendent status. Thus he denies the possibilities of truth and yet demands a level of proof "up to the hilt."

In effect, Maigret works with a different concept of truth, and a Weberian concept of understanding in which truth and understanding are situationally developed, not abstract constants. Where the law is stymied by lack of perfect truth, it's inability to fit material and emotional lives into pre-existing categories, Maigret works with locally derived "categories" and meanings that emerge from particular lives and events. Maigret is not a man of rules, of formal procedure. (He would not score well on measures of procedural justice.) He is certainly not a legal positivist, although he characterizes his judicial colleagues in this way. Nor is he an instrumental legal realist but rather a man of deep, passionate feeling. A sensuous man, whose sensuality is, however, never described sexually but in all other respects. Maigret's humanity and compassion is a consistent theme in the books and a motive force for many stories as troubled people, often perpetrators of crime, seek out Maigret with confidence that he will understand their situation. His compassion, however, is not instinctual; it is the result of intelligence and observation about people, about lives, about relationships, about daily life. He is the consummate ethnographer. His analyses of situations, while always about personality, are, nonetheless, about how particular persons live and feel within culturally and historically determined situations. Personality, subjectivity, and the meaning of events are determined and knowable from the context of their production.

The lawyer's more abstract concept of truth operates in a system of judgement; Maigret's sociology and philosophy insist however that *one shall not judge*. "His spontaneous sympathies and revulsions are subjective, essentially *aesthetic* responses to people's attitudes and personalities, not moral judgments of their actions. Indeed, his most pervasive distaste is against those who appropriate to themselves the right to judge: the judges and the whole judicial apparatus that he serves" (Eskin 1987, p. 227).

In *Art as Experience* (1934) Dewey offers an analysis of the aesthetic experience as a form of empathy that also describes Maigret's morality and

authority for action. Dewey distinguishes empathy from sympathy, a response in which the subject is positioned at a distance from the object with which s/he is interacting. In effect the sympathetic observer says "I see your pain and I wish you were not suffering". An empathetic response is one where the subject and object merge, become one; the empathetic respondent says "I see your pain and I am in pain too." Maigret demands a level of proof "up to the hilt" because to identify with the victims and murderers, "to live the lives of a whole lot of other people", he needs a knowledge of the circumstances sufficient to generate that empathetic response. The consequence of empathy, for Maigret, however, is not judgment but action. In a discussion with a colleague of Dr. Pardon's at one of his monthly dinners, Maigret commented that indeed the responsibility for action was his heaviest burden, so much depended on him. "It was upon him, or, to be more precise, upon his *method of approach to the problem* that the fate of an unknown number of women would depend (emphasis in original, *Maigret Sets A Trap* 1955, p. 29). When Maigret has finally identified with the characters, has achieved that desired and valued empathy, he is able to act.

If he does not judge, what does Maigret do? What does it mean to be a *redresseur des destinees*? Clearly he cannot bring the dead back and he cannot always unburden the suffering but he can try. He often compared his work to doctoring, and remembered that he had begun his studies expecting to be a doctor until his father's death had made it necessary for him to give up his studies. He noted, however, that his aborted medical studies might have brought him to a similar relationship with people as did his role as policeman: "interested in . . . people's troubles and failings" (*Maigret Sets A Trap* 1955, p. 27). As a "medicin," through his empathy, Maigret can take some of the weight on himself.³ He offers aide to the defense of a less morally culpable murderer; he mitigates the consequences by reducing charges; he encourages responsibility where the law is unable to prosecute; he refuses to bring charges where innocents caught up in conflicts will only be hurt more; finally, he understands and lets the characters know that he understands. In the end, Maigret seeks to re-establish that sociality—communion of space and mind—that had been so violently ruptured by murder.

MAIGRET'S AUTHORITY: THE CHARACTER OF JUSTICE

Simenon described Maigret as a "redresseur des destinees," an agent of redress, of recomposition. But he is not, I wish to emphasize, a free agent, ungrounded, or unsituated. He is, instead, thoroughly within French society, and enabled by very common sources of authority. He is empowered, like many ethnographers, by several forms of authority that legitimate his actions and make both his power and the justice he enacts quite plausible and acceptable.

First, Maigret's authority is personal, charismatic, and is marked by his celebrity. As Weber tells us, charisma is conferred by the audience. Maigret is known wherever he goes, he is recognizable, needs little introduction or explanation. Thus, for Simenon, Maigret is a voice/symbol of justice, rough on the outside, soft within, transcendent, recognizable when it appears.

Second, Maigret's authority, despite his scorn and rejection, is what Weber might call formally rational, bureaucratic or what Dennis Wrong (1969) would call legitimate power. It derives from his location within an normative order and system of approved roles and responsibilities. He is, after all, the chief superintendent of the French Police Judiciaire. Maigret is enmeshed within the normal police routines and bureaucracy, just as much as he is able to become each time, in every case, enmeshed in the daily affairs of particular families, neighborhoods, towns, and by this skill able to identify the habits and conventions that constitute normalcy there. He often describes himself as a cog in a machine (*Maigret and the Pickpocket* 1967, p. 118), part of something larger than himself. This was not always a happy reference; he preferred personal, charismatic authority, and was surprised, perhaps resentful, when he did not receive the usual deference and celebration (*Maigret and the Pickpocket* 1967, p. 15). He was a somewhat vain man (*Maigret's Mistake* 1953, p. 78). He particularly disliked feeling his place within the hierarchy and, as I discussed above, openly resisted his judicial superiors. Nonetheless, by virtue of his place within this hierarchy, "he had at his disposal specialists, inspectors, the telephone, the telegraph, all kinds of desirable services" (*Maigret and the Pickpocket* 1967, p. 118). Thus, if Maigret is Simenon's symbol of justice, his "redresseur des destinees", we learn that justice is not external, outside, independent of social life, but within, embedded, encoded, connected to the everyday. It cannot be created by formal procedures and rules, but emerges from the context of structured social organization.

Third, Maigret also has what Dennis Wrong calls expert authority: his method and status as a sociologist. Although Maigret presents himself against positivism, he is entirely empirical. Although his work is done in an almost "dream like" state, described as intuitive and unique, I suggest that it represents sociological method and is therefore reproducible and transferrable.⁴ It only appears unique and intuitive. It is not a sort of "gift" of unconscious insightfulness, but more the result of a process which can be learned, developed and duplicated, at least to a certain extent. Maigret's method is his emersion in and apprehension of daily life, of conventions, of the ordinary. This is accessible to all of us, indeed this is everyone's life, but is particularly and professionally developed and self-consciously experienced among sociologists. When the extraordinary event occurs—the murder—most people ignore the everyday and seek the unique and the special, for example, the psychopath, the sociopath, the genetically damaged, the mentally impaired. Maigret's strength is in seeing the obvious, the ordinary, even when the extraordinary

occurs and in using the ordinary to explain the extraordinary. Maigret's skill is his continued attention to that everyday world, what sociologists call the taken-for-granted. Because it is taken for granted, not regularly problematized nor subject to reflection, we do not use it consciously as a method of inquiry. Most people just live in the world; Maigret—the sociologist—uses it. That is his method and his authority.

Maigret has developed an acute awareness of his human surrounding which makes him see the importance of what we normally take for granted in our everyday life and grasp the obvious which eludes most of us. It is a mental process that can be systematized. Indeed, Maigret teaches his method to Inspectors Janvier and Lucas, his assistants who manage to assimilate at least part of their boss' method although it is not easily accomplished.

What should be confessed, perhaps, is that few, if any, of us actually implement this practice well. It is something that some people may be more gifted at and more prone to develop than others. And, it is a practice that may ultimately become part of oneself, of one's nature and thus will leave the realm of the conscious for the domain of "intuition." This may explain the apparent contradiction between the regular assertion by Maigret and others about there being no method and the yet persistent demonstration of method. We are never told exactly how Maigret developed his method although a late written book (*Maigret's First Case* 1953) provides some small hints. It suggests, however, that Maigret's method arose serendipitously. He was a young member of the police force who took it upon himself to investigate the claims of a musician to have observed and heard something violent happening in the home of a rich Parisian family. Maigret's superiors set him to investigate in the hopes, he later discovers, of having the citizen's inquiry buried by a naive young policeman's investigatory inexperience. He is left on his own to find out what happened; he has no choice, being without any institutional resources or much professional experience, but to hang around and take in the atmosphere of the place, the people, their comings and goings. If anything, this is the only genesis of the method we are given.

Developing an awareness of one's social surroundings—Maigret's method and authority—is, however, not an easy mental task. Because it is an understanding of the obvious, it seems easier than understanding mathematical formulas and abstract arguments which appear to require a large measure of mental energy. Observing the obvious is perhaps more difficult because it requires a "presence" and effort for each moment. Few people can reach Maigret's level. Thus, his method is not easily or completely reproducible. And again if Maigret is Simenon's symbol of justice, the authority derived from his method suggests that justice, while common, is not easily achieved.

CONCLUSION

In a paper in this volume, "The True Detective," Friedman (1994) provides a broader context in which to understand Maigret. Friedman suggests that detective fiction emerges with modernity. The detective genre is part of the collective response to the experiences of mobility in which identity becomes much more uncertain than in earlier times. Friedman talks about whole communities made up of strangers, rolling stones, where nobody knows for sure where they come from, or who their people are; they tell stories about themselves but there is no way to check whether these stories are false or true. In the emerging modern city of the 19th century, Friedman suggests, police dealt with public order, not with crimes of mobility and identity; those were the province of the detective, and often the private detective. This detective, Friedman suggests is a specialist in identities, a specialist in unmasking. Friedman goes on to describe some of the skills and exploits of the early detectives and some of the connections to fictional detection generally.

I would like to conclude by noting some similarities and some differences between Maigret and Friedman's model of the modern detective. Like the detectives Friedman describes, Maigret is also a master of simulation, the flip side of the confidence man who dissembled in order to cheat, the detective pretended in order to catch the cheater. Again, like Friedman's detective, Maigret knows and understands what others may not, he can understand people, tell a hardened criminal from a novice, is intimate with all sorts of social life.

But unlike Friedman's detective, Maigret cannot read men at a glance; instead, he studies them intently, broods about them, needs to get inside them. While the traditional detective in this description is involved in unmasking, the murderers in Maigret's world are often known to him and they often reveal themselves; the unmasking is not necessarily done to them, but is desired by them. Finally, the world of the classical detective, according to Friedman, is a raw jungle, a vicious unwelcome society which makes the criminal who and what he is. Nonetheless, the murder is a mere activity, behavior that is relatively separate from the whole person, his identity and his self. By contrast, in Maigret's world, murder is morally compelling, an activity in which dignity, identity, and self is so threatened that only this violation can restore personhood. This is the world Jack Katz (1988) describes as righteous slaughter. It is not a world of mobile strangers, but of intimate relations. A world that can be made right only by an equally compelling intimacy that Maigret develops as the "redresseur des destinees", the agent of sociologically informed justice.

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NOTES

1. George Simonon wrote his first Maigret, *The Strange Case of Pierre the Lett* (sometimes published as *Maigret and The Enigmatic Lett*, and so cited here), in 1929; it was, however, the fifth Maigret book published, appearing in 1931. *The Death of Monsieur Gallet*, written in 1930 was the first Maigret book published, appearing in 1931.
2. *The Guinness Book of Records* (1992, p. 176), Facts on File, reports that the top selling author of all time is Agatha Christie, nee Miller, Lady Mallowan, who has sold over 2 billion copies of her 78 crime novels, in 44 languages. Simonon is the second largest seller, with over 600 million copies in 47 languages; Earle Stanley Gardner is third at 324 million books in 37 languages.
3. It should be noted that Maigret does not try to change the structure of social relations. Although he has a well developed critique of class relations in France, he does not try to undo the large structural injustices he sees. His critique of upper class rule and his identification with the "little people" and of himself as "a man of the people" surely has its origins in his provincial childhood. His father had been the superintendent of a local estate. This position within the middling ranks of provincial status hierarchies provided him intimate associations with the nobility, whom his family had lived among and the lives of the peasants who peopled the countryside. Despite his rise to prominence in the French judicature, throughout his life, Maigret described himself as plebian and his massive bearing as that of a country peasant.
4. I am particularly indebted to the thoughtful discussions and correspondence with Jessica Silbey and Pierre Simonon that produced the analysis and formulation of Maigret's sociological authority.

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